

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 BRYANT PASCO,

11 Plaintiff,

12 v.

13 NANCY A. BERRYHILL,
14 Commissioner of Social Security,

15 Defendant.

16 CASE NO. C16-5669-JCC

17 ORDER

18 This matter comes before the Court on Plaintiff's amended motion for attorney fees (Dkt.
19 No. 25). Pursuant to 42 U.S.C. § 406(b)(1):

20 Whenever a court renders a judgment favorable to a claimant under this subchapter
21 who was represented before the court by an attorney, the court may determine and
22 allow as part of its judgment a reasonable fee for such representation, not in excess
23 of 25 percent of the total of the past-due benefits

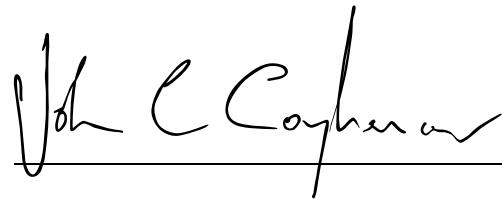
24 42 U.S.C. § 406(b)(1). Pasco agreed to pay his attorney 25% of his past-due benefits if his Social
25 Security appeal was successful. (Dkt. No. 24-1.) Pasco's appeal was successful, and he received
26 past-due benefits. (Dkt. No. 24-2 at 1–4.) In accordance with the fee agreement, Pasco asks this
Court to authorize a fee of \$15,044.25 be paid to his attorney. (Dkt. No. 25 at 1.) The Court finds
that the total fee is reasonable given that it comports with the fee agreement, counsel's
representation was effective, there was no undue delay, and the fee does not represent a windfall.

1 (See Dkt. Nos. 24-1, 24-2, 24-3.) The Commissioner does not oppose the request or the amount
2 of fees. (See Dkt. No. 26 at 1.)

3 Plaintiff's motion for attorney fees (Dkt. No. 25) is GRANTED. The Court authorizes
4 counsel to charge attorney fees in the amount of \$15,044.25 in accordance with 42 U.S.C.
5 § 406(b). Counsel is DIRECTED to refund to Pasco \$2,601.18, the amount in attorney fees paid
6 to Counsel under the Equal Access to Justice Act, 28 U.S.C. § 2412. (See Dkt. No. 26 at 1.)

7 DATED this 27th day of December 2017.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE